

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Christian Omar Rivera Martínez;
Diana Ruiz Núñez
Plaintiffs

Civil No.: 12-1831 (DRD)

v.

Wallace Silversmiths de Puerto Rico,
LTD.; John Doe Insurance Co.
Defendant

MOTION IN COMPLIANCE WITH DKT 4

TO THE HONORABLE COURT:

COMES NOW plaintiffs, through the undersigned counsel and very respectfully **SETS FORTH** and **PRAYS**:

A few weeks after the filing of this complaint, plaintiff tried to serve Wallace Silversmiths de Puerto Rico, LTD through the resident agent published in the Department of State web site. Our server went to Ms. Melissa Rodríguez, in Maymí, Rivera & Rotger, PSC, who denied being the agent and directed us to Reichard & Calaf. Once there, our server was informed that the resident agent was indeed Maymí, Rivera & Rotger. On November 9, 2012 the server again went to the offices of Maymí, Rivera & Rotger and he insisted upon delivery of the documents. As the accompany process paper states, process was then executed on said date on Maymí, Rivera & Rotger, upon the person of Ms. Melissa Rodríguez, who appears as the resident agent and authorized person in the Department of State files.

Due to an emergency illness of our secretary, filing of the executed service was not done, for which we request to be excused by the Court.

WHEREFORE it is respectfully requested from this Honorable Court take notice.

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the instant document has been filed with the Court's CM/ECF System, which will simultaneously serve notice on all counsels of record to their respective registered e-mail addresses. Any non-registered attorneys and/or parties will be served via regular mail.

In San Juan, Puerto Rico this 6th day of February, 2013.

S/ Johanna M. Emmanuelli Huertas

JOHANNA M. EMMANUELLI HUERTAS

USDC-PR #210506

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